UNITED STATES DISTRICT COURT WESTERN DISTRICT OF NEW YORK

SANDRA PUCCIO, As Administrator of the Estate of EDWARD M. BEREZOWSKI, deceased

Plaintiff

STIPULATION OF VOLUNTARY DISMISSAL

-vs-

CASE 13-CV-732A

COUNTY OF ERIE and TIMOTHY B. HOWARD, Erie County Sheriff

Defendants

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, the Plaintiff, he attorney, Defendants and their attorney for the above entitled action, that whereas no party hereto is an infant or incompetent person for whom a committee has been appointed and no person not a party has an interest in the subject matter of the action, that all of Plaintiff's claims and causes of action are hereby discontinued against all Defendants, with prejudice, on the merits and without costs to any party as against any other.

This stipulation may be filed without further notice with the Clerk of the Court.

DATED:

Buffalo, New York

GRUARY 18, 201:

By:

DAVID P. FELDMAN, ESQ

Attorney for Plaintiff, Sandra Puccio

69 Delaware Ave

Buffalo, New York 14202

By: JEREMY C. TOTH, ESQ

Attorney for Defendants

95 Franklin Street, 16th Floor

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